

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLARITY SPORTS
INTERNATIONAL, LLC,

Plaintiff/Petitioner,

v.

REDLAND SPORTS, *et al.*,

Defendants,

v.

KENNETH GOLLADAY,

Respondent.

**INTERIM ORDER REGARDING PETITIONERS' MOTION FOR
CONTEMPT AND SANCTIONS (ECF No. 10) REQUIRING RESPONDENT
TO SHOW CAUSE IN WRITING WHY HE SHOULD NOT BE HELD IN
CONTEMPT**

Before the Court for consideration is Petitioners' May 14, 2021 motion for contempt and sanctions against non-party Respondent Kenneth Golladay, for failure to comply with a subpoena directing him to appear for a deposition and produce responsive documents, as well as the Court's March 19, 2021 order enforcing that subpoena. (ECF No. 10.) Petitioners (Clarity Sports International, LLC and Jason Bernstein) seek an order that Respondent: (1) show cause as to why he should not be held in contempt; (2) pay Petitioners' attorney fees and costs

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District Judge George Caram Steeh

Magistrate Judge Anthony P. Patti

associated with the motion; (3) pay \$1,000/day until he or his attorney contacts Petitioners' attorney to reschedule his deposition; and (4) appear at his rescheduled deposition and produce relevant documents or face criminal contempt charges. (ECF No. 10, PageID.442-443, 460.) Attached is a certificate of service stating that Petitioners served the motion upon Respondent by electronic mail (ECF No. 10, PageID.462), consistent with the Court's January 22, 2021 order allowing alternative service of the subject subpoena by electronic means (ECF No. 6). On July 28, 2021, Judge Steeh referred the motion to me for a hearing and determination. (ECF No. 12.)

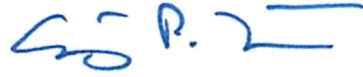
Petitioners filed the instant motion on May 14, 2021, and to date, Respondent has failed to respond. Accordingly, the Court **GRANTS** Petitioners' request for an order to show cause and **ORDERS** Respondent to **SHOW CAUSE IN WRITING by Thursday, July 22, 2021**, why he should not be held in contempt and subject to sanctions for failure to comply with the subject subpoena. Petitioners must serve the motion and this order upon Respondent by electronic mail, which until further notice will be the approved method of service upon Respondent, as well as by U.S. mail and either overnight delivery or electronic mail to general counsel for the New York Giants,¹ and certify such to the Court by

¹ According to nfl.com, Respondent is currently a member of the New York Giants. See nfl.com/players/kenny-golladay/stats/career.

Thursday, July 8, 2021. Respondent's failure to comply with this order may result in sanctions and/or a finding of contempt.

IT IS SO ORDERED.

Dated: July 1, 2021



Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE